

## **MINUTES**

### **INDIANA STATE BOARD OF HEALTH FACILITY ADMINISTRATORS**

**SEPTEMBER 10, 2008**

#### **I. CALL TO ORDER AND ESTABLISHMENT OF QUOROM**

Mr. Kenneth Maikranz called the meeting to order and a quorum was established at 10:18 a.m. in Conference Center Room 4 & 5 in the Indiana Government Center North, 402 W. Washington Street, Indianapolis, IN 46204.

##### **Board Members Present:**

Kenneth Maikranz, HFA, President  
Joseph Dzwonar, HFA, Member  
Sue Hornstein, Member  
Christine Shuey, HFA, Member  
Dr. William Province, II, Member  
Nan Girton, Member  
Kathy Frank, Member  
Shelley Rauch, HFA, Member  
Ron Flickinger (for Arlene Franklin)

##### **Members Absent:**

Arlene Franklin, Member  
Colleen Mathews, HFA, Member  
Karen Smith-Filler, Member  
Tony Stewart, HFA, Member

##### **State Officials Present:**

Jeanette Roberts, Board Director, Indiana Professional Licensing Agency  
Tasha Coleman, Assistant Board Director, Indiana Professional Licensing Agency  
Gordon White, Board Advisory Counsel, Office of the Attorney General

#### **II. ADOPTION OF THE AGENDA**

Adopt as amended by consent.

#### **III. ADOPTION OF THE MINUTES FROM THE JULY 10, 2008 MEETING OF THE BOARD**

A motion was made and seconded to adopt the minutes of the July 10, 2008 meeting of the Board.

Dzwonar/Frank  
9/0/0 Motion carried.

#### **IV. ADMINISTRATIVE HEARINGS**

- A. In the matter of the license of Andrew E. Keen, HFA, Lic. No. 14004581A**  
Administrative Cause Number: 2008 HFA 0002  
Re: Final Hearing

This hearing was continued until the December meeting of the board.

- B. In the matter of the license of Constance Johnson, HFA, Lic. No. 14003834A**  
Administrative Cause Number: 2008 HFA 0007  
Re: Final Hearing

##### **Parties and Counsel Present:**

Tom McGee, Deputy Attorney General for the State of Indiana  
Respondent not present.

##### **Participating Board Members:**

Kenneth Maikranz, HFA, President  
Joseph Dzwonar, HFA, Member  
Sue Hornstein, Member  
Christine Shuey, HFA, Member

Dr. William Province, II, Member  
Nan Girton, Member  
Kathy Frank, Member  
Shelley Rauch, HFA, Member  
Ron Flickinger (for Arlene Franklin)

**Case Summary:** A complaint was filed in this matter on July 28, 2008. A Proposed Settlement Agreement, which would issue a letter of reprimand, was filed with the board on September 8, 2008.

Motion was made and seconded to approve the settlement agreement.

Province/Dzwonar  
8/0/1 Motion Carried. (Hornstein abstained)

## **V. NOTICE OF PROPOSED DEFAULT HEARING**

### **A. In the matter of the license of Sherri Richardson, HFA, Lic. No. 14004560A** Administrative Cause Number: 2008 HFA 0005

#### **Parties and Counsel Present:**

Tom McGee, Deputy Attorney General for the State of Indiana  
Respondent not present.

#### **Participating Board Members:**

Kenneth Maikranz, HFA, President  
Joseph Dzwonar, HFA, Member  
Sue Hornstein, Member  
Christine Shuey, HFA, Member  
Dr. William Province, II, Member  
Nan Girton, Member  
Kathy Frank, Member  
Shelley Rauch, HFA, Member  
Ron Flickinger (for Arlene Franklin)

**Case Summary:** A complaint was filed in this matter on May 2, 2008. A Proposed Settlement Agreement, which would assess a civil fine in the amount of \$250.00, was filed with the board on August 29, 2008.

Motion was made and seconded to approve the settlement agreement

Dzwonar/Province  
9/0/0 Motion carried.

## **VI. RULE READOPTION**

### **Re: LSA Document #08-338**

Readopts rules in anticipation of IC 4-22-2.5-2, providing that an administrative rule adopted under IC 4-22-2 expires January 1 of the seventh year after the year in which the rule takes effect unless the rule contains an earlier expiration date.

The following was read into record:

"This discussion is concerning the readoption of the administrative rules of the board. These rules expire every 7 years if not readopted by the board. The board has reviewed the rules to be readopted and have determined that the some of the proposed rules do impose costs and requirements on small businesses pursuant to IC 4-22-2.5-3.1 (c). The rules that impose these costs and requirements are:

840 IAC 1-1-11  
840 IAC 1-1-13  
840 IAC 1-1-17  
840 IAC 1-2-4  
840 IAC 1-2-6  
840 IAC 1-3-2

However, the board has determined that there are no alternatives for the rules."

A motion was made and seconded to readopt the rules.

Frank/Rauch  
9/0/0 Motion carried.

## **VII. PRESENTATION**

### **A. HOPE HFA Course Report**

Bob Decker, President of HOPE provided the board with feedback on the course. There were 27 students in the class. 2/3 of the students had previous long term experience. They do plan to give the course again next year and plan to include the RCA course portion when the board is ready.

## **VIII. APPLICATION REVIEW**

### **A. INITIAL LICENSE APPLICATIONS**

#### **1. Jocelyn Mikucki**

A motion was made and seconded to approve the application of Jocelyn Mikucki.

Province/Shuey  
9/0/0 Motion carried.

#### **2. Matt Elwell**

A motion was made and seconded to request that Mr. Elwell and his preceptor make a personal appearance before the Board at their next meeting to answer questions regarding his positive response. The Board approved the start of his AIT program and asks that Mr. Elwell submit letters from previous employers regarding his work ethic.

Dzwonar/Shuey  
9/0/0 Motion carried.

### **B. PROVISIONAL LICENSE APPLICATIONS**

#### **1. Heather Merry**

A motion was made and seconded to approve the provisional license application of Heather Merry.

Rauch/Province  
9/0/0 Motion carried.

#### **2. Larry Heydon**

A motion was made and seconded to approve the provisional license application of Larry Heydon.

Rauch/Frank  
8/0/1 Motion carried. (Province abstained)

#### **3. Micky Vujanovic**

A motion was made and seconded to approve the provisional license application of Micky Vujanovic

Province/Girton  
9/0/0 Motion carried.

### **C. POSITIVE RESPONSE RENEWALS**

#### **1. Denise Robertson**

Ms. Robertson appeared before the Board to explain her positive response. She also stated that the agreement she made with the facility is confidential.

A motion was made and seconded to approve the renewal application.

Dzwonar/Rauch  
8/0/1 Motion carried. (Province abstained)

**2. William C. Langschied**

A motion was made and seconded to approve the renewal application of William C. Langschied.

Dzwonar/Shuey  
8/0/0 Motion carried. (Girton out of room)

**3. Jennifer Gibson**

A motion was made and seconded to approve the renewal application of Jennifer Gibson.

Dzwonar/Rauch  
9/0/0 Motion carried.

**4. Philip L. Benson**

A Motion was made and seconded to request that Mr. Benson make a personal appearance at the October meeting and bring with him any documentation that he feels will support the renewal of his application.

Dzwonar/Rauch  
7/0/2 Motion carried. (Shuey and Province abstained)

**D. WAIVER REQUEST**

**1. Christopher Beymer**

A motion was made and seconded to extend the AIT application for Christopher Beymer for six (6) months pending sign off by previous preceptor and completion of a new preceptor application.

Dzwonar/Rauch  
9/0/0 Motion carried.

**IX. DISCUSSION**

**A. 2009 Meeting dates & December 2008 Meeting**

The board will hold meetings in 2009 on a bi-monthly basis. The December 4, 2008 meeting will be moved to December 9, 2008.

**B. Vouchers and Documentation**

RE: Need W-9 and Direct Deposit forms filled out and signed by all new members

**C. Marlene Roberts**

Re: CEU waiver request

A motion was made and seconded to grant inactive status renewal and deny CEU waiver request of Marlene E. Roberts.

Province/Frank  
9/0/0 Motion carried.

**D. Sherri Mitchell**

Re: Non-compliance with order

A motion was made to request the Attorney General to file a complaint with the Board based on the complaint sent up by the board due to non-payment of the fine imposed.

**VII. ADJOURNMENT**

Mr. Kenneth Maikranz adjourned the meeting at 12:05 p.m.

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**Kenneth Maikranz, President**